

MICHAEL J. HEYMAN  
United States Attorney

E. BRYAN WILSON  
Assistant U.S. Attorney  
U.S. Attorney's Office  
Federal Building & U.S. Courthouse  
222 West Seventh Avenue, #9, Room 253  
Anchorage, Alaska 99513-7567  
Phone: (907) 271-5071  
Fax: (907) 271-2344  
Email: [Bryan.Wilson@usdoj.gov](mailto:Bryan.Wilson@usdoj.gov)

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

LAUNCH ALASKA,

Plaintiff,

vs.

DEPARTMENT OF THE NAVY,  
OFFICE OF NAVAL RESEARCH,

Defendant.

Case No. 3:25-cv-00141-GMS

**ANSWER TO COMPLAINT FOR INJUNCTIVE RELIEF**

Defendant, Department of the Navy, Office of Naval Research, through counsel,  
answers the complaint for injunctive relief as follows:

1. Defendant is without knowledge of the allegations of Paragraph 1.
2. The allegations of Paragraph 2 are admitted.



3. The allegations of Paragraph 3 are denied.
4. Defendant is without knowledge of the allegations of Paragraph 4.
5. The allegations of Paragraph 5 are denied.
6. Defendant is without knowledge of the allegations of Paragraph 6.
7. Defendant is without knowledge of the allegations of Paragraph 7.
8. Defendant is without knowledge of the allegations of Paragraph 8.
9. Defendant is without knowledge of the allegations of Paragraph 9.
10. Defendant is without knowledge of the allegations of Paragraph 10.
11. Defendant is without knowledge of the allegations of Paragraph 11.
12. Defendant is without knowledge of the allegations of Paragraph 12.
13. The allegations of Paragraph 13 are admitted.
14. Defendant is without knowledge of the allegations of Paragraph 14.
15. Defendant is without knowledge of the allegations of Paragraph 15.
16. Defendant is without knowledge of the allegations of Paragraph 16.
17. Defendant is without knowledge of the allegations of Paragraph 17.
18. Defendant is without knowledge of the allegations of Paragraph 18.
19. Defendant is without knowledge of the allegations of Paragraph 19.
20. Defendant is without knowledge of the allegations of Paragraph 20.
21. Defendant is without knowledge of the allegations of Paragraph 21.
22. Defendant is without knowledge of the allegations of Paragraph 22.
23. Defendant is without knowledge of the allegations of Paragraph 23.
24. Defendant is without knowledge of the allegations of Paragraph 24.



25. Defendant is without knowledge of the allegations of Paragraph 25.
26. Defendant is without knowledge of the allegations of Paragraph 26.
27. Defendant is without knowledge of the allegations of Paragraph 27.
28. Defendant is without knowledge of the allegations of Paragraph 28.
29. Defendant is without knowledge of the allegations of Paragraph 29.
30. Defendant is without knowledge of the allegations of Paragraph 30.
31. Defendant is without knowledge of the allegations of Paragraph 31.
32. Defendant is without knowledge of the allegations of Paragraph 32.
33. Defendant is without knowledge of the allegations of Paragraph 33.
34. Defendant is without knowledge of the allegations of Paragraph 34.
35. Defendant is without knowledge of the allegations of Paragraph 35.
36. Defendant is without knowledge of the allegations of Paragraph 36.
37. Defendant is without knowledge of the allegations of Paragraph 37.
38. Defendant is without knowledge of the allegations of Paragraph 38.
39. Defendant is without knowledge of the allegations of Paragraph 39.
40. Admitted that Launch Alaska has received grant funding from  
Defendant. Without knowledge as to the remaining allegations.
41. The allegations of Paragraph 41 are admitted.
42. The allegations of Paragraph 42 are admitted.
43. The allegations of Paragraph 43 are admitted.
44. The allegations of Paragraph 44 are admitted.
45. The allegations of Paragraph 45 are admitted.



46. The allegations of Paragraph 46 are admitted.
47. The allegations of Paragraph 47 are denied.
48. The allegations of Paragraph 48 are admitted.
49. The allegations of Paragraph 49 are admitted.
50. The allegations of Paragraph 50 are admitted to the extent that the referenced memo did not specifically list the Launch Alaska grant. Deny that any explanation was required.
51. The allegations of Paragraph 51 are admitted to the extent that the quote is accurate. The remainder of the allegations are denied.
52. It is admitted that Launch Alaska filed an administrative Notice of Claim/Appeal. The allegations that no substantive reasons were given for the termination are denied.
53. The allegations of Paragraph 53 are admitted to the extent that Launch Alaska's appeal contained the quote provided. It is denied that the quote accurately represents the basis for the termination.
54. The allegations of Paragraph 54 are admitted to the extent that Launch Alaska made those allegations. It is specifically denied that Defendant's action was arbitrary, capricious or in violation of federal law.
55. The allegations of Paragraph 55 are admitted.
56. The allegations of Paragraph 56 are admitted.
57. The allegations of Paragraph 57 are denied.



58. The allegations of Paragraph 58 are denied.
59. The allegations of Paragraph 59 are denied.
60. The allegations of Paragraph 60 are denied.
61. Defendant is without knowledge of the allegations of Paragraph 61.
62. Defendant is without knowledge of the allegations of Paragraph 62.
63. Defendant is without knowledge of the allegations of Paragraph 63,  
except to admit that it was contacted by Sen. Sullivan's office.
64. Defendant is without knowledge of the allegations of Paragraph 64.
65. The allegations of Paragraph 65 are denied to the extent that they imply  
Defendant did anything improper or unlawful.
66. The allegations of Paragraph 66 are denied to the extent that they imply  
Defendant did anything improper or unlawful.
67. The allegations of Paragraph 67 are denied to the extent that they imply  
Defendant did anything improper or unlawful.
68. Defendant is without knowledge of the allegations of Paragraph 68.
69. Defendant is without knowledge of the allegations of Paragraph 69.
70. Defendant's responses in Paragraphs 1 – 69 are realleged and  
reincorporated by reference.
71. Defendant is without knowledge of the allegations of Paragraph 71.
72. The allegations of Paragraph 72 are denied.
73. The allegations of Paragraph 73 are admitted.
74. The allegations of Paragraph 74 are admitted.



75. It is admitted that the MEMO does not specifically list the grant at issue here, but denied that the MEMO did not provide an adequate basis for the termination of the grant.
76. It is admitted that Launch Alaska appealed the grant termination, but denied that inadequate explanation was given.
77. The allegations of Paragraph 77 are denied.
78. The allegations of Paragraph 78 are denied.
79. The allegations of Paragraph 79 are denied.
80. The allegations of Paragraph 80 are denied.

#### **FIRST AFFIRMATIVE DEFENSE**

This Court lacks jurisdiction over the subject matter of Plaintiff's claim.

#### **SECOND AFFIRMATIVE DEFENSE**

The actions of Defendant at issue in the instant case are of the type "committed to agency discretion by law" and therefore unreviewable by this Court.

#### **THIRD AFFIRMATIVE DEFENSE**

The termination of the grant at issue here was in accord with recognized termination authorities, in compliance with the terms permitting such terminations and was not arbitrary and capricious.

#### **FOURTH AFFIRMATIVE DEFENSE**

Plaintiff fails to state a claim upon which relief can be granted.



RESPECTFULLY SUBMITTED this August 19, 2025, in Anchorage, Alaska.

MICHAEL J. HEYMAN  
United States Attorney

/s/ E. Bryan Wilson  
Assistant U. S. Attorney  
United States of America

**CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2025,  
a true and correct copy of the foregoing  
was served electronically on the following:

John R. Crone  
Gordon Rees Scully Mansukhani, LLP  
[jcrone@grsm.com](mailto:jcrone@grsm.com)  
*Attorney for Plaintiff*

/s/ E. Bryan Wilson  
Office of the U.S. Attorney